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SUBJECT: BDG DRAFTS ANTI-TERRORISM LEGAL AMENDMENTS

Classified By: P/E Counselor D.C. McCullough; Reason 1.4(d)

1. (C) The Law Cell of the Ministry of Home Affair (MHA) has drafted amendments to Section 121 of the Penal Code redefining "waging or abetting war" and to Section 3 of the Special Powers Act concerning sabotage to broaden their coverage and thereby their utility for counter-terrorism. A MHA lawyer told us that, in light of a series of bombing incidents the past year against political and religious targets, the BDG recognized it needs to update its laws from their colonial-era focus on sedition.

2. (C) The amendments are still in the drafting stage, and the drafters appear amenable to suggestions. When RLA noted that the "waging or abetting war" language (which is primarily concerned with insurgency movements) could be strengthened by criminalizing financial aid to such movements, the drafters promptly made the changes.

3. (C) COMMENT: MHA is acting at the behest of the PMO and Bangladeshi intelligence services. We will provide whatever assistance we can to raise Bangladeshi law to international standards and promote the development of an effective anti-terrorist legal regime. The draft amendments make no specific reference to terrorism, which is consistent with the BDG's public stance that there is no international terrorism in Bangladesh. Bangladeshi laws do not appear to require substantial overhaul, but amendments to other laws are needed, especially to the 2002 Anti-Money Laundering Act (AMLA). A draft of an amended AMLA law with substantial input by DOJ attorneys is, according to BDG officials, "under review." RLA will continue to work through informal channels to push amendments to these and other laws to give prosecutors and investigators better laws to secure convictions in counter-terrorism cases.

CHAMMAS